

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Thomas Mark Prose v W Edward Wendover**
Docket No. **266014**
L.C. No. **99-933730-NZ**

Michael J. Talbot, Judge, acting under MCR 7.211(E)(2), orders:

The motion to file a late answer to the motion to strike is GRANTED.

The motion to strike appellants' brief is also GRANTED. Appellants' brief is STRICKEN because it impermissibly expands the record on appeal. The record on appeal is confined to the record made in the trial court prior to the filing of the appeal. See MCR 7.210(A)(1) and *Coburn v Coburn*, 230 Mich App 118, 122-123; 583 NW2d 490 (1998), rev'd on other grounds, 459 Mich 874, 875 (1998). The Clerk shall place this appeal on the first available involuntary dismissal docket 14 days after the Clerk's certification of this order if appellants have not filed a brief on appeal to replace the stricken brief.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 27 2006
Date

Sandra Schultz Mengel
Chief Clerk